

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SOHEILA HEXEMER,

Plaintiff(s),

-v-

Case No.:12 CIV. 1808 (LEK/CFH)

GENERAL ELECTRIC COMPANY;

GID GLOBAL, LLC. and JOSE GARCIA,

in his professional and individual
capacities,

Defendant(s).

DEPOSITION OF:

JARED YORK

HELD: WEDNESDAY, JUNE 11, 2014

11:55 a.m. - 1:38 p.m.

Reported by:

ROBERTA-ANNE SCHMITT

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SCHENECTADY, NEW YORK

This is the Deposition of JARED YORK,
appearing on behalf of the DEFENDANTS herein, held
at GENERAL ELECTRIC COMPANY, located at 1 River
Road, Schenectady, New York, commencing at 11:54
a.m., on JUNE 11, 2014, before Roberta-Anne
Schmitt, Court Reporter and Notary Public in and
for the State of New York.

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A P P E A R A N C E S

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BY: MAUREEN YOUNG, ESQ.

COUNSEL, LABOR & EMPLOYMENT

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EXAMINATION BY

PAGE(S)

JARED YORK

MR. VALLAS

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TO EXHIBITS MARKED

(Attached to transcript)

PLAINTIFF'S

DESCRIPTION

PAGE

Exhibit A

E-mail chain Bates stamped

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GEGID20709, 710, two pages

Exhibit B

E-mail chain, Bates stamped

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GEGID20706, one page

Exhibit C

E-mail, Bates stamped

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GEGID20707, one page

Exhibit D

E-mail, Bates stamped

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GEGID20724, one page

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Exhibit F

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F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED
by and between the attorneys for the
respective parties hereto that filing,
sealing and certification be and the
same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the
form of the question, shall be reserved
to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED
that the within examination may be
subscribed and sworn to before any
notary public with the same force and
effect as though subscribed
and sworn before the court.

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THIS IS THE ORAL DEPOSITION OF JARED

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YORK, appearing on behalf of the DEFENDANTS

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herein, produced pursuant to NOTICE on June 11,

5

2014, before ROBERTA-ANNE SCHMITT, a Court

6

Reporter and Notary Public in and for the State of

7

New York.

8

* * * * *

9

JARED YORK

10

called as the witness, hereinbefore

11

named, being first duly cautioned and sworn or

12

affirmed by ROBERTA-ANNE SCHMITT, the Court

13

Reporter and Notary Public herein, to tell the

14

truth, the whole truth, and nothing but the truth,

15

was examined and testified as follows:

16

EXAMINATION

17

BY MR. VALLAS:

18

Q. Hi. My name is George Vallas. We

19

just met a moment ago, but I represent

20

Soheila Hexemer in claims that she's

21

bringing against General Electric and GID

22

Global, LLC.

23

I'm going to ask you a few questions

24

today. As an initial matter, I'd just like

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to go over some of the protocol of a

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deposition.

Do you understand that you've just
been sworn in by the court reporter?

A. I do.

Q. And that you'll be testifying under
oath?

A. I do.

Q. Have you ever testified in a
deposition before?

A. No.

Q. Have you ever been a part of a lawsuit
before?

A. No.

Q. So it's important today that you give
oral answers to my questions, because the
court reporter won't be able to transcribe a
nod or a shake of the head.

A. Right. Understood.

Q. Also, if you don't understand the
question or if you don't hear me, please
tell me to repeat the question or to
rephrase and I'll be happy to do so.

A. Okay.

Q. At any time during the deposition if

1

2 you'd like to correct an earlier answer,
3 please feel free to do so.

4 A. Okay.

5 Q. You can take as many breaks as often
6 as you'd like. The only thing I ask is that
7 before you take a break, if there's a
8 pending question, you answer it before we
9 break.

10 MR. EBERT: Unless there's
11 some issue of privilege.

12 THE WITNESS: Okay.

13 MR. EBERT: Unless we say
14 otherwise.

15 BY MR. VALLAS:

16 Q. Precisely right.

17 A. Understood.

18 Q. If you just allow me to finish my
19 questions fully before you answer; likewise,
20 I'll do my best to let you finish your
21 answer fully without interrupting.

22 A. Okay.

23 Q. Just to make life easier for the court
24 reporter.

25 A. Okay.

1

2 Q. Are you on any medication today or
3 other controlled substances?

4 A. I take Citalopram for --

5 MR. EBERT: I'm sorry.
6 Anything that would affect your
7 ability to testify.

8 THE WITNESS: No.

9 MR. EBERT: You don't have to
10 give a medical --

11 MR. VALLAS: Thank you for
12 that clarification. That's
13 correct.

14 BY MR. VALLAS:

15 Q. Have you consumed any alcohol in the
16 past six hours?

17 A. No.

18 Q. Are you sick at all today?
19 Are you under any medical attention?

20 A. No.

21 Q. Can you think of any other reason why
22 you would be unable to testify fully and
23 truthfully?

24 A. No.

25 Q. Do you understand that you are

1

2 represented today by an attorney?

3 A. Yes.

4 Q. I'd like to ask you, just as a
5 preliminary matter, what you have done today
6 to prepare for this deposition. But to
7 clarify, I'm not asking you anything that
8 you said to your attorney or that your
9 attorney said to you.

10 MR. EBERT: Your attorney
11 includes Maureen.

12 A. To clarify, you're asking what I've
13 done today?

14 Q. What you've done in general to prepare
15 for today.

16 A. Reviewed some of the e-mails that I
17 sent a year and a half ago; had some
18 discussions with my attorney.

19 Q. Did you talk to anybody else about the
20 fact that you're testifying today?

21 A. No.

22 Q. Can you state your full name for the
23 record?

24 A. Jared, J-A-R-E-D, Adam, A-D-A-M, York,
25 Y-O-R-K.

1

2 Q. Did you go to high school, Mr. York?

3 A. I did.

4 Q. And did you graduate?

5 A. I did.

6 Q. What year did you graduate?

7 A. 1991.

8 Q. And did you attend college?

9 A. I did.

10 Q. Did you receive a degree?

11 A. I received a BA from State University
12 of New York at Plattsburgh and a master of
13 arts from the University at Albany.

14 Q. And what year did you receive your BA?

15 A. BA in 1995; MA in 2006.

16 Q. What is your current job title?

17 A. Manager of the operation and
18 maintenance manuals group.

19 Q. And which company is that with?

20 A. General Electric Company.

21 Q. How long have you held that position?

22 A. Since April of 2012.

23 Q. How long have you been with General
24 Electric?

25 A. Since 2007; September.

1

2 Q. What I'd like to do is go over your
3 position history at General Electric, and if
4 we could work in reverse chronological
5 order, so if we could start with your most
6 recent and work our way back.

7 A. Okay.

8 Q. Prior to being manager of the
9 operations group what was your next most
10 recent?

11 A. I was the project manager for the
12 thermal power plant department.

13 Q. And how long did you hold that
14 position?

15 A. Since September of 2007.

16 Q. Did you hold any other positions with
17 GE?

18 A. No.

19 Q. What was your employment immediately
20 before joining GE?

21 A. I worked for Granite Services
22 International as a contractor for General
23 Electric.

24 Q. And how long were you a contractor?

25 MR. EBERT: Approximate dates

1

2

are fine.

3

MR. VALLAS: Strike that.

4

A. Since 2001.

5

Q. Just to clarify, how long were you a

6

contractor for GE?

7

A. That entire time.

8

Q. As project manager, what was --

9

MR. VALLAS: Strike that.

10 BY MR. VALLAS:

11

Q. What did your job responsibilities

12

entail?

13

A. The delivery of power plants to

14

customers, and that entails all facets of

15

power plant delivery, from engineering,

16

sourcing, finance, contract; everything. I

17

was responsible for everything.

18

Q. Were you in a managerial role?

19

A. Yes.

20

Q. Did you supervise employees?

21

A. I did not supervise them from an HR

22

standpoint, but I was the leader of a very

23

large complex team.

24

Q. What would be the distinction between

25

supervising from an HR standpoint?

1

2 A. I did not -- I was not responsible for
3 their performance evaluations. I did not
4 hire or fire them.

5 Q. And so what were your supervisory
6 responsibilities?

7 A. I had to ensure that they completed
8 the tasks that they were assigned to in
9 support of the project.

10 I did have input to their managers
11 regarding their performance, but I did not
12 directly -- I was not directly involved.

13 Q. Approximately how many employees did
14 you supervise in that capacity?

15 A. I mean, dozens.

16 Over the life of the project, which
17 can last years, people come and go
18 throughout the course of the project. At
19 one point you could say that I was
20 responsible for all 900 people who were on
21 site performing construction.

22 Q. Who is your direct report in that
23 role?

24 A. I had no direct reports in that role.

25 MR. EBERT: Who he directly

1

2

reported to or who directly

3

reported to him?

4

MR. VALLAS: I appreciate the

5

clarification.

6

BY MR. VALLAS:

7

Q. To whom did you directly report?

8

A. I had several managers over the course

9

of that position. The manager who hired me

10

was Lynne Rollins (Phonetic Spelling), who

11

is no longer with the company, and the last

12

manager I had was Joseph Zapp (Phonetic

13

Spelling).

14

Q. What was Mr. Zapp's title?

15

A. Pole manager.

16

Q. So you received a change of title in

17

April of 2012 to become manager of

18

operations group?

19

A. That's correct.

20

Q. And what are your job responsibilities

21

in that role?

22

A. The management of the production

23

process by which our operation maintenance

24

manuals are delivered to customers.

25

MR. VALLAS: Would you read

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the last answer back.

(At which time, the following
portion of testimony was read back
by the stenographer:

ANSWER: The management of the
production process by which our
operation maintenance manuals are
delivered to customers.)

BY MR. VALLAS:

Q. Do you supervise employees in that
role?

A. I do.

Q. How many employees do you supervise?

A. Currently I have one direct report.

Q. And who is that?

A. Kathleen Bokan.

Q. What is her position?

A. Team leader, operation maintenance
manuals.

Q. And are you responsible for overseeing
any contractors?

A. Yes.

Q. And approximately how many contractors
are you responsible for overseeing?

1

2 A. Well, a point of clarification. I'm
3 responsible for a master services agreement
4 with GRUPO, G-R-U-P-O, who is our production
5 supplier.

6 So in that capacity, GRUPO may staff
7 according to their needs. I contract a
8 scope of work; they provide it. If they can
9 do that with two people or 20, it's
10 irrelevant to me.

11 Q. GRUPO, is that the name of the
12 company?

13 A. GID. They -- they -- I'm not -- it's
14 GRUPO International.

15 Q. Is it GID Global?

16 A. GID Global, same thing, yes.

17 MR. EBERT: It's the same,
18 yes.

19 BY MR. VALLAS:

20 Q. Is GRUPO the sole contractor that you
21 interact with in your current title?

22 A. I would refer to them as a supplier,
23 but, yes.

24 Q. When you say you would refer to them
25 as a "supplier," could you clarify what

1

2 GRUPO's --

3 A. Well, they're a production supplier,
4 so they perform a number of functions for
5 me, but they're no different from any other
6 supplier from a -- in most cases.

7 They have a scope of work they need to
8 supply to me, period.

9 Q. What sort of work do they do?

10 A. They print the manuals at their shop
11 down in Mexico. They ship them out to the
12 customers. They handle that process for us.

13 Some of the individuals on the GRUPO
14 team are involved in the, what I would call,
15 engineering of the tables of contents for
16 the manual. The manuals are extremely large
17 and very complex, so that's fairly
18 meticulous detailed work. They perform some
19 of that.

20 Q. How long has GE maintained a
21 relationship with GRUPO?

22 A. I don't know.

23 Q. Have they maintained a relationship
24 with GRUPO throughout your tenure?

25 A. Yes.

1

2 Q. You referred earlier to a master
3 services agreement?

4 A. Yes.

5 Q. You had no --

6 MR. VALLAS: Strike that.

7 BY MR. VALLAS:

8 Q. Did you have any input in the terms of
9 that agreement?

10 MR. EBERT: Let him finish
11 the question first.

12 THE WITNESS: Sorry.

13 A. I signed it.

14 BY MR. VALLAS:

15 Q. When was that agreement signed?

16 A. I last signed it in July of 2013.
17 It's renewed yearly; if we decide to renew
18 it.

19 Q. When the agreement comes up for
20 renewal, do you have any input in revising
21 its terms?

22 A. If I wanted to I would, yes.

23 Q. Have you done so in your capacity as
24 master of operations group?

25 A. I don't remember.

1

2 Q. Did you have a relationship with GRUPO
3 when you were working as a project manager?

4 A. I did not.

5 Q. How closely --

6 MR. VALLAS: Strike that.

7 BY MR. VALLAS:

8 Q. How many employees does GRUPO
9 currently staff to GE?

10 A. I don't know.

11 Q. Is there anyone at GE who would be
12 aware of that?

13 A. I don't know.

14 Q. How closely do you supervise the work
15 of those employees?

16 MR. EBERT: Objection to
17 form, but if you understand you
18 can answer it.

19 A. I don't supervise them.

20 BY MR. VALLAS:

21 Q. Who is your point of contact at GRUPO?

22 A. I have contacted Jose Garcia,
23 Guillermo Garcia, and most recently, Guy
24 Liberatore, whose name I can help you spell.
25 L-I-B-E-R-A-T-O-R-E.

1

2 Q. And what's Mr. Liberatore's title?

3 A. I don't know.

4 Q. What sort of interactions do you have
5 with Mr. Liberatore?

6 MR. EBERT: I'm sorry, what
7 sort of what?

8 MR. VALLAS: Interaction.

9 MR. EBERT: Interactions.

10 A. He is a point person for any issues
11 that I have; somebody to go to who is on
12 site in Schenectady apart from Jose or
13 Guillermo Garcia. I'm not clear on what
14 officially his title is.

15 BY MR. VALLAS:

16 Q. Guillermo Garcia, what is his role at
17 GRUPO?

18 A. I don't know specifically.

19 Q. And Jose Garcia?

20 A. I, again, don't know specifically what
21 they call themselves.

22 Q. A moment ago you used the phrase "on
23 site."

24 Does GRUPO have facilities on the GE
25 campus?

1

2 A. No. They use GE facilities on the GE
3 campus.

4 Q. And what sort of facilities do they
5 use?

6 A. Phones and computers and desks.

7 Q. Do GRUPO employees get GE e-mail
8 addresses?

9 A. They specify "non GE" on them.

10 Q. Can you elaborate on that a little
11 bit?

12 A. Right in the e-mail. I'm -- I don't
13 know how it works, but when I send an e-mail
14 to somebody from GRUPO, their e-mail address
15 pops up in the address book as name, and in
16 parens, non GE.

17 MR. EBERT: You have examples
18 of that.

19 BY MR. VALLAS:

20 Q. Are you familiar with the terms under
21 which GRUPO is allowed to utilize GE
22 facilities?

23 A. I'm not.

24 Q. Do you know who would be?

25 A. I don't.

1

2 Q. Is that outlined in the master
3 services agreement?

4 A. I don't know.

5 Q. So you mentioned earlier that your
6 role as manager of operations group is to
7 review the work product of GRUPO
8 contractors, in part, your role?

9 MR. EBERT: Objection. I
10 don't think that's what he
11 said.

12 A. Yeah, I didn't say that.

13 MR. VALLAS: I'll withdraw
14 it.

15 BY MR. VALLAS:

16 Q. Can you describe to me again your role
17 as operations project manager?

18 A. I oversee and manage the production of
19 the operation and maintenance manuals that
20 are delivered to our customers.

21 Q. And the work that's done by GRUPO, the
22 work product that's done by GRUPO, do you
23 have a role in reviewing that?

24 A. I don't, unless work is not being done
25 properly; in which case I would investigate

1

2 why it's not being done properly.

3 Q. Who makes the determination of whether
4 or not it's done properly?

5 A. Well, typically an error would come in
6 from a customer or we may catch it ourselves
7 as part of the production process.

8 Q. So when GRUPO prints out the manuals
9 or indexes the manuals and so forth, they
10 ship them out directly without any GE
11 oversight?

12 A. No, that's not correct.

13 MR. EBERT: That's -- that
14 was the answer.

15 BY MR. VALLAS:

16 Q. So there is somebody at GE who would
17 oversee the finished work product?

18 MR. EBERT: Objection. You
19 can answer if you're able.

20 A. Not the finished work product, no.
21 The manuals are too big.

22 BY MR. VALLAS:

23 Q. So just so that I understand, GRUPO's
24 role is to print out manuals to ship them to
25 index table of contents as you mentioned

1

2 earlier?

3 A. I'd say that's accurate, yes.

4 Q. From the time that they begin indexing
5 and printing and shipping to clients, is
6 there anyone at GE who has direct oversight
7 over that process?

8 A. I don't know how to answer that. Can
9 you elaborate or ask that a different way?

10 Q. Sure.

11 You testified a little bit earlier
12 that you would review GRUPO's work product
13 if an error was brought to your attention.

14 MR. EBERT: Is there a
15 question?

16 BY MR. VALLAS:

17 Q. Is that correct?

18 A. Can you repeat that?

19 Q. I believe you testified earlier that
20 you would review GRUPO's work product.

21 A. No. I review any issues pertinent to
22 manuals that come up.

23 Q. Who would bring those issues to your
24 attention?

25 A. Could be a customer, could be an

1

2 internal person who realized there was
3 something inaccurate. More than likely it
4 was somebody on my team. Either a GRUPO
5 person brought it to somebody on my team or
6 somebody on my team found it directly.

7 Q. Do you or anybody on your team have a
8 regular process or procedures for
9 identifying those issues or is it just
10 incidentals, it's just randomly noticed?

11 A. I would say it's primarily incidental.
12 We do our best to put processes in place to
13 catch such issues, but by and large they
14 come in as issues, defects.

15 Q. Can you describe to me what you mean
16 by your "team"?

17 A. I have one direct report, Kathleen
18 Bokan. I had two dotted-line reports who
19 currently work for our power generation
20 services organization, who functionally
21 report to me but directly report, again, to
22 that power generation services manager.

23 So those three individuals I would
24 consider my team.

25 Q. And who are the two dotted-line

1

2 reports?

3 A. Sarah Hill and Scott Powers.

4 In addition, there is a counterpart
5 organization at our facility in Belfort,
6 France who has a lead for the manuals that
7 come out of that group with whom I am
8 closely aligned and I would consider part of
9 my team.

10 That is a GE employee. All of those
11 individuals are GE employees.

12 Q. At the organization in France?

13 A. And the two that I mentioned that are
14 here at PGS. That's just another arm of
15 General Electric.

16 Q. I'm sorry, what do you mean by "PGS"?

17 A. I work for Power and Water; those two
18 individuals work for Power Generation
19 Services.

20 Q. And just describe the two individuals
21 to whom you're referring.

22 A. Scott Powers and Sarah Hill.

23 Q. What's Scott Powers title?

24 A. Customer support specialist. He
25 doesn't have a really hard and fast title.

1

2 He's on the O and M manual team.

3 Q. As we go forward, just so I don't have
4 to keep asking, if you use an acronym,
5 especially for the first time, just describe
6 what it means.

7 A. Sure.

8 Q. So you said O and M?

9 A. Operations and maintenance.

10 Q. And Sarah Hill, what's her title?

11 A. Same as Scott: Customer support
12 specialist.

13 Q. Do Ms. Hill and Mr. Powers share
14 facilities with GRUPO employees?

15 A. No.

16 Perhaps you could clarify the
17 question.

18 Q. Do they work in the same offices?

19 A. They work in the same building.

20 Q. Do they have interaction with GRUPO
21 members?

22 A. Occasionally.

23 Q. And what would be the nature of that
24 interaction?

25 A. If a GRUPO person had a question, if a

1

2 GRUPO person found some kind of an error
3 they wanted to report back to the team.

4 Q. Do they have any supervisory
5 authority --

6 A. No.

7 Q. -- over GRUPO employees?

8 A. Sorry. No, they do not.

9 MR. EBERT: Sorry. Does who
10 have supervisory?

11 MR. VALLAS: Right now I'm
12 referring to Ms. Hill and
13 Mr. Powers.

14 MR. EBERT: Okay.

15 BY MR. VALLAS:

16 Q. Do you, yourself, have any supervisory
17 authority over any GE employees?

18 A. I do not.

19 Wait. Over any GE employees?

20 Q. I'm sorry. That was an error.
21 Over any GRUPO employees.

22 A. I do not have any supervisory role
23 over any GRUPO employees.

24 Q. Other than the three GRUPO employees
25 you mentioned earlier: Jose Garcia,

1

2 Guillermo Garcia, and Guy Liberatore, do you
3 have any interaction with any other GRUPO
4 employees?

5 A. Occasionally; rarely.

6 Q. What would be the nature of that
7 interaction?

8 A. If I had a question about something
9 that GRUPO does that was of a more
10 operational nature or a simple question.

11 Many of the GRUPO people have been
12 around a lot longer than I have, quite
13 frankly, so I might ask them a question.
14 Apart from that ...

15 Q. Are you ever involved in disciplining
16 any GRUPO employees?

17 A. No.

18 Q. Okay. I'd like to turn to a slightly
19 different matter.

20 Are you familiar with Ms. Soheila
21 Hexemer?

22 A. Yes.

23 Q. And how do you know Ms. Hexemer?

24 A. She's a former GRUPO employee.

25 Q. Do you know what her role at GRUPO

1

2 was?

3 A. I don't.

4 Q. Do you know when she began working at
5 GRUPO?

6 A. I don't.

7 Q. Do you remember when you first became
8 acquainted with Ms. Hexemer?

9 A. I don't.

10 MR. EBERT: If ever.

11 MR. VALLAS: I believe he
12 testified that he knew her.

13 BY MR. VALLAS:

14 Q. Did you have any interactions with
15 Ms. Hexemer while she was employed by GRUPO?

16 A. Yes.

17 Q. Can you describe the earliest of those
18 interactions?

19 A. I can't. I don't remember the first
20 time I saw her or met her. She was another
21 one of the GRUPO people who were part of
22 that team.

23 Q. Do you remember an incident that arose
24 between Ms. Hexemer and Ms. Hill while
25 Ms. Hexemer was employed by GE?

1

2

MR. EBERT: Objection. She

3

wasn't employed by GE.

4

BY MR. VALLAS:

5

Q. While Ms. Hexemer was employed by

6

GRUPO?

7

A. I remember an incident, yes.

8

Q. Can you describe to me your

9

recollection of what that incident involved?

10

A. I can describe my recollection of what

11

Sarah Hill told me following the incident.

12

Q. Please.

13

A. My recollection is that Sara came to

14

me very upset because she had been -- there

15

had been some kind of a joke told by Soheila

16

to a couple of other GRUPO folks in the

17

presence of Sarah or nearby her cube or

18

something to that effect.

19

She -- Soheila got --

20

Sarah said something to the effect

21

that, you know, Americans may not like it

22

when people joke about their weight, at

23

which point Soheila became very upset,

24

emotional, voice raised, I believe. She

25

started crying, and generally an incident

1

2 happened.

3

4

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25

 Sarah came to me because she was upset
that Soheila had accused her of being
prejudice and she was just very upset by the
whole situation.

Q. Let's back up just for a moment.

 Do you remember approximately when
this incident occurred?

A. Late October of 2012.

Q. Okay. Do you remember any more
precisely than that?

A. I don't.

Q. Okay. Did Miss Hill approach you on
the same day that this incident occurred?

A. I don't know.

Q. You said she was very upset. How do
you know that she was very upset?

 MR. EBERT: Who was very
upset?

 MR. VALLAS: Excuse me.

BY MR. VALLAS:

Q. You said Ms. Hill was very upset when
she approached you.

 Was she crying?

1

2 A. No.

3 Q. Was she angry?

4 A. No.

5 Q. What made you think that she was
6 upset?

7 A. The words, the way she was describing
8 the incident. She seemed distraught I would
9 say is the best word.

10 Q. Did she describe to you in detail what
11 was said?

12 A. She did, but I don't remember every
13 detail of what she said.

14 Q. You say that she was upset because
15 Ms. Hexemer called her prejudice?

16 A. That was one of the points.

17 Q. How did you respond to Miss Hill's
18 account?

19 A. I said -- and I'm paraphrasing --
20 Okay. Stay away from her. Let's let things
21 calm down and see what happens.

22 I believe we agreed to let the weekend
23 transpire and see how things were going on
24 Monday.

25 Q. I believe you testified that this

1

2 incident occurred near Ms. Hill's cube?

3 A. Uh-huh.

4 Q. Is Miss Hill's cube located in close
5 proximity to the workplaces of other GRUPO
6 employees?

7 A. What's close proximity?

8 Q. In the same room.

9 A. The whole floor is one room, so yes.

10 Q. Is there any way that GE employees are
11 distinguished from GRUPO employees in that
12 room?

13 MR. EBERT: Objection. Just
14 when you say "distinguished"
15 meaning what?

16 BY MR. VALLAS:

17 Q. If someone were to walk in the room,
18 is there a clear demarcation between GE
19 employees and GRUPO employees?

20 A. When we were in that building they sat
21 in different rows.

22 Q. Would it have been feasible for
23 Ms. Hill to stay away from Ms. Hexemer
24 given --

25 MR. EBERT: Objection. You

1

2

can answer.

3

A. My understanding is that they were

4

chatting with Sarah, and by "they" I mean

5

Jacob Tefft, Joe Hunt and Soheila, were

6

standing outside Sarah's cube talking to her

7

in a, frankly, non-work capacity chatting

8

and the joke was made and then the incident

9

happened.

10

But to answer your question, they

11

could easily sit in their cubes and be

12

divided from each other.

13

BY MR. VALLAS:

14

Q. Were they required to interact with

15

one another for professional reasons?

16

A. Is that a question?

17

Q. Yes.

18

A. Are they required?

19

Q. Were they at the time --

20

A. No.

21

Q. -- Ms. Hill and Ms. Hexemer, required

22

to interact with each other?

23

A. No. Their job duties did not require

24

them to interact with each other.

25

Q. When you told Ms. Hill to stay away

1

2 from Ms. Hexemer, did you say anything else
3 during that conversation?

4 A. I don't remember specifically what I
5 said.

6 Q. Did you, at that time, decide to take
7 any further action regarding the incident?

8 A. I did not.

9 Q. Did you, at that time, ask Ms. Hill to
10 document her recollection of the incident?

11 A. I did not.

12 Q. Did you, at that time, report the
13 incident to anyone else at GE?

14 A. I don't remember.

15 MR. VALLAS: I'd like to ask
16 the court reporter to mark this
17 Plaintiff's Exhibit A. I
18 apologize, I only have two
19 copies.

20 MR. EBERT: All right. If
21 you describe what it is, I'm
22 sure we have a copy.

23 MR. VALLAS: It is a Friday,
24 October 26, e-mail from Sarah
25 Hill to Jared York sent at

1

2

11:18 a.m.

3

MR. EBERT: Okay. We have

4

it.

5

(Plaintiff's Exhibit A, E-mail

6

chain Bates stamped GEGID20709, 710,

7

two pages, was received and marked

8

for identification; exhibit appended

9

to transcript.)

10 BY MR. VALLAS:

11

Q. Mr. York, I'd like you to take as much

12

time as you like to review that and just let

13

me know when you're finished.

14

A. I'm good. I remember seeing it.

15

Q. Do you remember receiving that e-mail?

16

A. I do.

17

Q. On the very top of the e-mail that was

18

sent from Sarah Hill to Sarah Hill, the

19

subject 25 Oct 12 incident.

20

A. Uh-huh.

21

Q. First line says, Events that took

22

place 25 Oct 12 approximately 4:15 at

23

Sarah's cube.

24

Does that refresh your recollection as

25

to the date this occurred?

1

2 A. Sure.

3

4

5

6

7

8

9

10

11

12 BY MR. VALLAS:

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. EBERT: I'll stipulate as
to the dates when things
happened based on the e-mails.
It's not going to be
controversial.

MR. VALLAS: Sure. No, no,
I'm trying to work out the
chronology here.

MR. EBERT: Sure.

Q. Do you know why Ms. Hill wrote that
e-mail to herself?

A. I don't.

Q. Do you know why she forwarded it to
you?

A. I don't.

Q. Did she, at any subsequent time,
explain to you why she forwarded it to you?

A. I don't recall her doing so, no.

Q. Did you ever ask her why she sent it
to you?

A. No.

Q. Did you do anything in response to

1

2 this e-mail?

3 A. I didn't.

4 Q. Did you forward it to anybody?

5 A. I don't recall.

6 MR. VALLAS: I would like to

7 ask the court reporter to mark

8 this Plaintiff's Exhibit B.

9 (Plaintiff's Exhibit B, E-mail
10 chain, Bates stamped GEGID20706, one
11 page, was received and marked for
12 identification; exhibit appended to
13 transcript.)

14 MR. EBERT: Can you describe
15 what B is, please?

16 MR. VALLAS: B is an e-mail
17 that was sent from Sarah Hill
18 to Jared York on October 26,
19 2012, at 11:28. The subject is
20 Re: Issue with GRUPO
21 contractor.

22 MR. EBERT: Got it.

23 MR. VALLAS: Oh, was going to
24 give you the Bates numbers.

25 MR. EBERT: No, I don't want

1

2

Bates numbers. What am I going

3

to do with Bates numbers?

4

MR. VALLAS: Okay.

5

BY MR. VALLAS:

6

Q. Mr. York, please take as much time as

7

you need to to review that e-mail.

8

A. Okay.

9

Q. Just let me know when you're finished.

10

A. Yup. I remember this one too.

11

Q. The second e-mail on this page that

12

was sent from you to Sarah, 11:18 p.m --

13

excuse me, 11:18 a.m. on October 26th.

14

Do you recognize that e-mail?

15

A. Yes.

16

Q. Do you remember writing it?

17

A. Yes.

18

Q. Do you remember for what purpose you

19

wrote that e-mail?

20

A. I was preparing a letter to or an

21

e-mail to Jose Garcia regarding this

22

incident.

23

Q. Why were you preparing an e-mail to

24

Jose Garcia?

25

A. I wanted to make him aware of an issue

1

2 with one of his employees.

3 Q. When did you decide that you had to
4 make Mr. Guillermo aware of an issue with
5 one of his employees?

6 MR. EBERT: Objection. You
7 can answer.

8 A. I was going to say at some point
9 between Exhibit A and Exhibit B.

10 BY MR. VALLAS:

11 Q. Did anything happen in that time
12 period that made you make that decision?

13 A. I don't remember.

14 Q. Do you remember approximately when in
15 that intervening period you decided to make
16 that decision?

17 A. I don't.

18 But based on the dates, it was a
19 45-minute window.

20 MR. EBERT: Whenever it's
21 convenient for you I just want
22 to take a very short break,
23 five-minute break.

24 MR. VALLAS: Right now is
25 fine with me.

1

2

MR. EBERT: Okay.

3

(Recess held from 12:35 P.M. until

4

12:40 P.M.)

5

MR. VALLAS: Could you read

6

back the last question and

7

answer.

8

(At which time, the following

9

portion of testimony was read back

10

by the stenographer:

11

QUESTION: Do you remember

12

approximately when in that

13

intervening period you decided to

14

make that decision?

15

ANSWER: I don't. But based on

16

the dates, it was a 45-minute

17

window.)

18

MR. VALLAS: Thank you.

19

BY MR. VALLAS:

20

Q. Mr. York, why did you decide to

21

contact Mr. Guillermo about an issue with

22

one of his employees?

23

A. I felt it was serious enough that it

24

should be brought to his attention.

25

Q. Had you ever done so before?

1

2 A. I don't remember.

3 Q. Let me rephrase that.

4 Had you ever contacted Mr. Guillermo
5 or any other GID Global employee about
6 issues with their employees?

7 A. No.

8 MR. VALLAS: I'd like to ask
9 the court reporter to mark a
10 document Plaintiff's Exhibit C.

11 (Plaintiff's Exhibit C, E-mail,
12 Bates stamped GEGID20707, one page,
13 was received and marked for
14 identification; exhibit appended to
15 transcript.)

16 MR. EBERT: Can you describe
17 this?

18 MR. VALLAS: Sure. It's an
19 e-mail, Bates number
20 GEGID20707, e-mail from Jared
21 York to Sarah Hill sent
22 October 26, 2012, 11:21 a.m.

23 MR. EBERT: Got it.

24 BY MR. VALLAS:

25 Q. Please just take a moment to look at

1

2 that, and as soon as you're ready --

3 A. I'm all set.

4 Q. Do you notice the e-mail on the top
5 that was sent by you to Sarah?

6 A. I do.

7 Q. Just for the sake of clarity, would
8 you just read the first line into the
9 record, the first two lines into the record?

10 A. (Reading from Document)

11 I accidentally hit send on this,
12 smiley face.

13 MR. EBERT: I didn't picture
14 you as a smiley face kind of
15 guy.

16 A. (Reading from Document)

17 But these were the words that I was
18 thinking of sending to Jeannine.

19 BY MR. VALLAS:

20 Q. Does that refresh your recollection
21 about the purpose of the e-mail from you to
22 Sarah sent at 11:18 a.m.?

23 A. Well, I believe I knew the purpose. I
24 wanted to send that to Jose.

25 Q. In the e-mail marked Plaintiff's

1

2 Exhibit C, I believe you said, These are the
3 words I was thinking of sending to Jeannine.

4 Who was Jeannine?

5 A. She was my HR manager at the time.

6 Q. What is her full name?

7 A. Jeannine Parkes, P-A-R-K-E-S.

8 Q. What is her title?

9 A. At the time she was my HR manager; I
10 don't know what her title is now.

11 Q. Is she a GE employee?

12 A. She was at the time; I don't know
13 where she is now.

14 Q. So you intended to copy Ms. Parkes on
15 an e-mail to Jose. Did you intend to
16 contact Ms. Parkes independently?

17 A. I don't know.

18 Q. Did you speak with Ms. Parkes about
19 this incident?

20 A. At some point I did.

21 Q. Do you remember when?

22 A. I don't.

23 Q. Do you remember if it was prior to
24 sending that e-mail?

25 A. I don't.

1

2 Q. I'd like to turn to the e-mail that's
3 at the bottom of that chain that was sent
4 from you to Sarah Hill on 11:18.

5 A. Okay.

6 MR. VALLAS: This is a little
7 bit long, but it can be helpful
8 to have this e-mail read into
9 the record.

10 MR. EBERT: Do you really
11 need to read it in? We're
12 going to have the document.

13 MR. VALLAS: Actually, you're
14 right. It's going to take too
15 long.

16 Withdrawn.

17 BY MR. VALLAS:

18 Q. Can you read the first sentence into
19 the record please?

20 A. (Reading from Document)

21 One of the GRUPO contractors,
22 parenthetical, Soheila, was apparently
23 joking with two of the other contractors,
24 parenthetical, Jake and Joe, and made a
25 derogatory reference to their weight,

1

2 parenthetical, presumably intended as a
3 joke.

4 Q. Can you identify who "Jake" and "Joe"
5 are?

6 A. Jacob Tefft and Joe, Joseph Hunt, who
7 are both GRUPO employees.

8 Q. Do you know what their roles are at
9 GRUPO?

10 A. I don't.

11 Q. Do you have any professional
12 interactions with Mr. Tefft or Mr. Hunt?

13 A. As mentioned previously, if I had a
14 question, I might ask one of them.

15 Q. So you were acquainted with Mr. Tefft
16 and Mr. Hunt?

17 A. I know who they are, yes.

18 Q. Where did you get the information that
19 forms the basis of this account?

20 A. From Sarah's e-mail and from Sarah's
21 conversations with me.

22 Q. When you say, "from Sarah's e-mail,"
23 is that the e-mail that was sent marked
24 Plaintiff's Exhibit A?

25 A. Correct.

1

2 Q. It looks like that was sent to you at
3 precisely the same time you sent this
4 account to Sarah Hill.

5 MR. EBERT: Is that a
6 question?

7 BY MR. VALLAS:

8 Q. I want to make sure that we are
9 referring to this e-mail when you say that
10 that's the one you base your account on and
11 not another e-mail, since they were sent at
12 a simultaneous time.

13 A. They're a few minutes' apart.

14 Q. I believe if you look at the second
15 e-mail in the chain on Plaintiff's Exhibit
16 C, also Plaintiff's Exhibit B, looks like it
17 was sent from you to Sarah Hill at
18 11:18 a.m. on October 26, 2012?

19 A. Oh, yeah.

20 Q. And then coincidentally it seems as
21 though her e-mail to you was sent at
22 precisely that time, and I just wanted to
23 ask whether there was any earlier e-mail or
24 account sent to you about this incident from
25 Sarah?

1

2 A. Apart from Exhibit A, no.

3 Q. Had you spoken with Ms. Hill on the
4 phone?

5 A. No, but we spoke in my office at some
6 point right after the incident happened.

7 Q. And that's what you testified to
8 earlier?

9 A. Correct.

10 Q. Was there any other conversations you
11 had with Ms. Hill?

12 A. I don't remember.

13 Q. Did you speak with Mr. Tefft or
14 Mr. Hunt about the incident?

15 A. I --

16 MR. VALLAS: Strike that.

17 BY MR. VALLAS:

18 Q. Did you speak with Mr. Tefft or
19 Mr. Hunt prior to writing the e-mail
20 outlined in Plaintiff's Exhibit C?

21 A. No.

22 Q. Did you speak to Ms. Hexemer herself
23 prior to the e-mail that was written in
24 Plaintiff's Exhibit C?

25 A. No.

1

2 Q. If I could turn your attention to
3 Plaintiff's Exhibit B, the e-mail from
4 Miss Hill to you sent at 11:28.

5 A (Witness complied with counsel's
6 request.)

7 Q. In the first sentence it seems as
8 though Ms. Hill is offering some
9 corrections.

10 (Reading from Document)

11 For the record, it reads: Couple of
12 things...she didn't call me "racist" but
13 said "prejudice" and said I didn't like
14 Iranians.

15 Did you make those corrections to the
16 account that you sent to Ms. Hill?

17 A. I don't remember.

18 Q. Did you ever send the e-mail that was
19 written by you at 11:18 to Mr. Guillermo?

20 A. Not in this form.

21 Q. Did you ever send it to Ms. Parkes?

22 A. Not in that form.

23 Q. Do you remember when you contacted
24 Mr. Guillermo about this incident?

25 A. I don't.

1

2 Q. Do you remember when you contacted
3 Ms. Parkes about this incident?

4 A. I don't.

5 Q. Do you remember if you contacted
6 Ms. Parkes first or if you contacted
7 Mr. Guillermo first?

8 A. I don't recall.

9 MR. VALLAS: If I could ask
10 the court reporter to please
11 mark this document Plaintiff's
12 Exhibit D.

13 (Pleading's Exhibit D, E-mail,
14 Bates stamped GEGID20724, one page,
15 was received and marked for
16 identification; exhibit appended to
17 transcript.)

18 MR. EBERT: What's that,
19 George?

20 MR. VALLAS: This is an
21 e-mail, GEGID20724, sent from
22 Jared York to Sarah Hill
23 October 30th, 2012, 3:50 p.m.

24 BY MR. VALLAS:

25 Q. Please take as much time as you need.

1

2 A. Yup, I remember this one.

3 Q. We'll just wait until your attorney.

4 MR. EBERT: I'm good. I'm
5 good.

6 BY MR. VALLAS:

7 Q. I'd like to direct your attention to
8 the second e-mail in that chain, Mr. York,
9 that was sent from you to Guillermo Garcia,
10 October 30th, 2012, 3:47 p.m., and also to
11 Jose M.

12 Is "Jose M." Jose Garcia?

13 A. Yes.

14 Q. And you testified earlier that when a
15 GRUPO contractor is provided with a GE
16 e-mail address, the signature it will pop-up
17 non GE?

18 MR. EBERT: Not in the
19 signature, but --

20 BY MR. VALLAS:

21 Q. In the e-mail --

22 MR. EBERT: Address.

23 BY MR. VALLAS:

24 Q. -- address pops up non GE?

25 A. Right. As you see on this page.

1

2 Q. Is that an example of that?

3 A. Right, yes.

4 Q. Do you know if this is something that
5 would show up if Mr. Guillermo were to send
6 an e-mail to somebody not -- who didn't have
7 him in his address book, or is this a
8 function of your GE address book?

9 A. I don't know.

10 Q. Do you remember sending this e-mail to
11 Guillermo and Jose?

12 A. I do.

13 Q. Was this your first contact with --

14 MR. VALLAS: Forgive me for
15 using their first names.

16 Mr. Garcia and Mr. Garcia seems
17 confusing.

18 MR. EBERT: That's fine.

19 BY MR. VALLAS:

20 Q. -- with Guillermo and Jose about this
21 incident?

22 A. Yes.

23 Q. You hadn't spoken to either of them
24 prior to this?

25 A. About the incident?

1

2 Q. That's correct.

3 A. No.

4 Q. Had you spoken to anybody at GRUPO
5 about this incident prior to this e-mail?

6 A. No.

7 Q. Did you receive a response to this
8 e-mail from either Mr -- from either
9 Guillermo or Jose?

10 A. I did.

11 Q. What form did that response take?

12 A. Telephone call.

13 Q. From whom did you receive a telephone
14 call?

15 A. They were either on a speakerphone or
16 conferenced together, but from both of them.

17 Q. Do you remember approximately when?

18 A. I don't. I could say approximately
19 within a day or two of me sending this
20 e-mail.

21 Q. And do you remember what was said on
22 that call?

23 A. Not verbatim, but I remember the gist.

24 Q. And what was the gist?

25 A. That they had already decided to

1

2 terminate Soheila's employment.

3 Q. Did they explain why they had decided
4 to terminate Soheila's employment?

5 A. No.

6 Q. Did they describe when they had
7 decided to terminate Soheila's employment?

8 A. No.

9 Q. Did they describe the termination as
10 something that had already happened or
11 something that was prospective?

12 A. They didn't go into any details on the
13 whys. My recollection is that they said
14 they had already decided to terminate her.

15 Q. But they didn't say whether or not
16 they had already terminated --

17 MR. VALLAS: Strike that.

18 BY MR. VALLAS:

19 Q. Do you remember whether they said they
20 had already terminated her or whether they
21 were going to terminate her?

22 A. I don't understand the distinction.

23 Q. I'm trying to work on the chronology
24 of when this phone call took place, whether
25 it was before Ms. Hexemer's termination or

1

2 after.

3 A. Oh, okay.

4 I wouldn't know.

5 Q. How long was the conversation?

6 A. Less than five minutes.

7 Q. Did they ask you about the incident?

8 A. They didn't.

9 Q. Did they ask you about the contents of
10 your e-mail?

11 A. Not that I recollect.

12 Q. On the first e-mail of this chain it
13 looks like you forwarded the e-mail to Sarah
14 Hill on October 30th, 2012, at 3:50 p.m.

15 (Reading from Document)

16 And for the record, that e-mail is one
17 line and states: Guillermo is away but I
18 will speak directly with him as well.

19 Does that refresh your recollection as
20 to whether or not you spoke with Jose Garcia
21 prior to the conference call you just
22 described?

23 A. No.

24 Q. Do you remember what you meant by "as
25 well"?

1

2 A. In addition to the e-mail, I will
3 speak with him directly.

4 Q. Was there a reason why you identified
5 Guillermo as the person you would speak with
6 and not Guillermo and Jose?

7 A. I tended to deal with him more on
8 operational issues; Guillermo, that is.

9 Q. Would you consider this to be an
10 operational issue?

11 A. Yeah. It's an issue with one of his
12 operatives.

13 Q. When you say you tend to deal with
14 Guillermo on operational issues, what sort
15 of issues would those involve?

16 A. Typically, anything to do with the
17 GRUPO MSA, master services agreement.

18 Q. Would they deal with issues involving
19 operators?

20 MR. VALLAS: Strike that.

21 Let me rephrase.

22 BY MR. VALLAS:

23 Q. Would those issues include issues that
24 you may have with GRUPO employees?

25 A. If I had an issue with a GRUPO

1

2 employee, I would go to Guillermo and/or
3 Jose. I use them interchangeably in that
4 fashion.

5 Q. Do you remember any issues that you
6 had approached either Guillermo or Jose with
7 prior to this incident with Ms. Hexemer?

8 A. I don't.

9 Q. Do you remember any subsequent
10 incident about a GRUPO employee that you
11 approached either Guillermo or Jose about?

12 A. No.

13 Q. Okay. Why did you send that e-mail to
14 Sarah -- excuse me.

15 Why did you send that e-mail to
16 Ms. Hill?

17 MR. EBERT: Which e-mail?

18 MR. VALLAS: Thank you for
19 that clarification.

20 MR. EBERT: Exhibit D?

21 BY MR. VALLAS:

22 Q. Why did you send the e-mail at the top
23 of Plaintiff's Exhibit D to Ms. Hill?

24 A. To reassure her that I had taken some
25 action with Soheila's employer.

1

2 Q. Had Ms. Hill expressed concern that
3 action hadn't been taken up to that point?

4 A. No, not that I recollect.

5 Q. Was there any particular reason why
6 you felt compelled to reassure her?

7 A. No.

8 Q. Between October 25th, when the
9 incident occurred, and October 30th, when
10 this e-mail was sent, had you been in
11 communication with Ms. Hill about the
12 incident?

13 A. I don't recollect.

14 Q. Do you know if any action was taken
15 with respect to Ms. Hexemer's termination?

16 MR. VALLAS: Strike that.

17 MR. EBERT: Object.

18 BY MR. VALLAS:

19 Q. Do you know if any action was taken
20 with respect to Ms. Hexemer's employment
21 subsequent to this incident?

22 MR. EBERT: Objection. I
23 don't understand.

24 A. Yeah, I don't either.

25

1

2 BY MR. VALLAS:

3 Q. Is Ms. Hexemer still employed by
4 GRUPO?

5 A. I don't know.

6 Q. Do you know whether she was ever --

7 MR. VALLAS: Strike that.

8 BY MR. VALLAS:

9 Q. Do you recall ever learning that
10 Ms. Hexemer had been terminated?

11 A. Yes.

12 Q. And when did you learn that?

13 A. I don't recall.

14 Q. Did you have any discussions with
15 Ms. Hexemer about her termination?

16 A. Prior to her leaving she wanted to see
17 me.

18 Q. When you say "prior to her leaving" --

19 A. Prior to her exiting --

20 MR. EBERT: There's no
21 question.

22 THE WITNESS: Sorry.

23 BY MR. VALLAS:

24 Q. When you say "prior to her leaving,"
25 do you mean prior to her leaving the

1

2 building on the day of her termination or
3 prior to her leaving the employ of GRUPO?

4 MR. EBERT: Objection. He
5 said he doesn't know if she
6 left or --

7 MR. VALLAS: Withdrawn.
8 Withdrawn.

9 MR. EBERT: -- the employ of
10 GRUPO.

11 MR. VALLAS: Withdrawn.
12 Withdrawn.

13 BY MR. VALLAS:

14 Q. Why --

15 MR. VALLAS: Strike that.

16 BY MR. VALLAS:

17 Q. Do you know why Ms. Hexemer wanted to
18 speak with you?

19 A. No.

20 Q. Do you know if she was referred to you
21 by other employees?

22 A. No.

23 MR. VALLAS: I'd like to ask
24 the court reporter to please
25 mark this Plaintiff's Exhibit

1

2

E.

3

(Plaintiff's Exhibit E, E-mail

4

chain, Bates stamped GEGID20720,

5

721, two pages, was received and

6

marked for identification; exhibit

7

appended to transcript.)

8

MR. VALLAS: This is an

9

e-mail sent from Jared York to

10

Jeannine Parkes on

11

October 31st, 2012,

12

4:19 p.m., Bates number

13

GEGID20720.

14

BY MR. VALLAS:

15

Q. Again, Mr. York, please take as much

16

time as you need with this e-mail.

17

A. Yup. I'm all set.

18

MR. VALLAS: You guys all

19

set?

20

MR. EBERT: Yes, good.

21

Thanks.

22

BY MR. VALLAS:

23

Q. Do you recognize this e-mail,

24

Mr. York?

25

A. I do.

1

2 Q. Does it refresh your recollection
3 about the meeting you had with Ms. Hexemer?

4 A. It does.

5 Q. Can you describe what happened during
6 that meeting?

7 A. Well, the contents are here in the
8 e-mail, but for whatever reason, she asked
9 to meet with me prior to leaving the
10 premises.

11 I said, Okay. Fine.

12 I invited my two direct reports, Peter
13 Nelli and Kathleen Bokan, to join us because
14 I wanted to have other people in the room
15 with us, quite frankly.

16 Soheila reiterated some of the things
17 that she said to Sarah at the aforementioned
18 incident about GE being discriminatory or I
19 was firing her because she was racist.

20 I said, You know, sorry you feel that
21 way. You're not my employee. I've got
22 three employees, you're not one of them,
23 actually four employees at the time, she
24 wasn't one of them.

25 She was emotional. She was talking

1

2 very fast.

3

4 I essentially just wanted to calm her
5 down and get her out, so I listened.

6

7 I said, I'm sorry you feel that way;
8 nothing I can do for you.

9

10 Q. Approximately how long did that
11 conversation last?

12

13 A. I'd say less than 15 minutes.

14

15 Q. Kathleen Bokan and Pete Nelli, I
16 believe you testified earlier, were your
17 direct reports.

18

19 What was Kathleen Bokan's title?

20

21 A. Again, team leader.

22

23 Q. What was Mr. Nelli's title?

24

25 A. Let's say Kathleen Bokan was team
26 leader for production. Peter Nelli was team
27 leader for customer support.

28

29 Q. You testified a moment ago that you
30 wanted to have other employees in the room
31 during the exit interview. Why was that?

32

33 A. So that it wasn't my word against
34 hers, you know.

35

36 Q. Were you concerned about conflicting
37 accounts of the meeting?

1

2 A. No. I was concerned about the word
3 "discrimination" being thrown around.

4 Q. The very first sentence of that
5 e-mail: Per our discussion, below is my
6 summary of GRUPO contractor Soheila
7 Hexemer's exit interview.

8 Do you remember what you were
9 referring to when you say "per our
10 discussion"?

11 A. The conversation I had with Jeannine
12 prior to sending this e-mail.

13 Q. Do you remember the substance of that
14 conversation?

15 A. Yeah. I told her an incident
16 happened. It may be very uncomfortable and
17 what should I do about it from a legal slash
18 HR standpoint.

19 And she told me to document it, which
20 I did.

21 Q. You said an "incident" happened. Were
22 you referring to the exit interview?

23 A. I was referring to both what happened
24 with Sarah and what happened when she was in
25 my office prior to her leaving.

1

2 Q. Had you talked to Ms. Parkes prior to
3 this e-mail about the incident that happened
4 with Ms. Hill?

5 A. I don't recall.

6 Q. Did Ms. Parkes direct you to take any
7 actions with respect to this incident?

8 A. Just to document it.

9 Q. Did she ask you to receive the
10 accounts of other employees?

11 A. I don't recall.

12 MR. VALLAS: I would like to
13 ask the court reporter to
14 please mark this document
15 Plaintiff's Exhibit F.

16 (Pleading's Exhibit F, E-mail
17 chain, Bates stamped GEGID20704,
18 705, two pages, was received and
19 marked for identification; exhibit
20 appended to transcript.)

21 MR. EBERT: What is this?

22 MR. VALLAS: This is an
23 e-mail that was sent from
24 Kathleen Bokan to Peter Nelli.
25 It's Bates number GEGID20704.

1

2

(At which time, there was a brief

3

pause in the proceedings.)

4

MR. VALLAS: Prior to handing

5

you that document, Mr. York,

6

I'd actually like to pass to

7

the court reporter a document

8

I'd like to mark as Plaintiff's

9

Exhibit G, and this is just a

10

30(b)(6) notice.

11

MR. EBERT: Okay.

12

(Plaintiff's Exhibit G,

13

Plaintiff's Notice of Deposition

14

Pursuant to Rule 30(b)(6) To

15

Defendant General Electric Company,

16

five pages, was received and marked

17

for identification; exhibit appended

18

to transcript.)

19 BY MR. VALLAS:

20

Q. Mr. York, please take as long as you

21

like to review the document we've marked

22

Plaintiff's Exhibit G, and just let me know

23

when you're finished.

24

A. (Witness complied with counsel's

25

request.)

1

2 Yup. I'm done.

3 Q. Have you seen that document before?

4 A. I don't recall.

5 Q. Would you like to take a break?

6 A. No. I'm good.

7 Q. Are you sure?

8 A. It's gone.

9 Q. Do you understand that you've been
10 designated by the company, General Electric,
11 to testify on behalf of the company as to
12 the matters identified on pages one through
13 three of this notice?

14 MR. EBERT: If you don't
15 know, you don't know.

16 A. I don't know.

17 BY MR. VALLAS:

18 Q. You can put that aside, Mr. York.

19 And I'd like to turn your attention to
20 documents marked Plaintiff's Exhibit F.

21 A. Yup. I remember this.

22 Q. You can see there are two e-mails on
23 this page, the first from Kathleen Bokan,
24 the second from Peter Nelli, and it seems as
25 though you are copied on both.

1

2

(Reading from Document)

3

4

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7

8

And below I'd like you to direct your attention to the first line of the second e-mail that was sent from Peter Nelli to Jeannine Parkes, which reads, for the record, per Jared's below request, below is my input on this discussion.

9

Do you remember what your request was?

10

A. I asked them to document the

11

conversation that happened in my office with Soheila.

12

13

Q. Do you remember when --

14

A. I don't.

15

Q. -- you did that?

16

Do you remember why?

17

A. I don't.

18

Q. Were you directed to instruct your employees to document that conversation?

19

20

A. I don't remember.

21

Q. Was there any action taken by GE as a result of these accounts?

22

23

A. No.

24

Just for the record, there's more to

25

this Peter Nelli e-mail, but perhaps you've

1

2 got that elsewhere.

3

4

MR. EBERT: Is that just the
first page?

5

6

7

8

9

THE WITNESS: Well, it's got
Kathleen's at the top and she
must have been responding to
Peter's, but there's more to
Peter.

10

11

MR. EBERT: Oh, I have the
second page .

12

BY MR. VALLAS:

13

14

15

Q. I'm sorry. I meant to hand you the
second page. I have it here. Just give me
one moment.

16

17

(Recess held from 1:13 P.M. until

1:21 P.M.)

18

BY MR. VALLAS:

19

20

21

Q. Mr. York, I just passed you the second
page of that e-mail for the sake of
completeness.

22

A. Yeah.

23

24

25

Q. Is there anything about that second
page that changes the answer that you gave
previously about this exhibit?

1

2 A. No.

3

4

5

6

7

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20 BY MR. VALLAS:

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25

MR. VALLAS: I'd like to ask
the court reporter to please
mark this document Plaintiff's
Exhibit H.

(Plaintiff's Exhibit H,
Defendants' Responses to Plaintiff's
First Set of Interrogatories to
Defendants, double-sided, 14 pages,
was received and marked for
identification; exhibit appended to
transcript.)

MR. EBERT: I'm sorry, this
is what?

MR. VALLAS: Defendant's
Response to Plaintiff's First
Set of Interrogatories.

MR. EBERT: Okay.

Q. Mr. York, I'd like you to take as long
as you like to review that document, but I
will be specifically asking you questions
about Interrogatories Number 3 and 4, which
are on page four.

1

2 A (Witness complied with counsel's
3 request.)

4 Okay.

5 Q. Do you recognize this document,
6 Mr. York?

7 MR. EBERT: Can I just see
8 the last pages?

9 A. It looks like many documents I've seen
10 over the last year and a half. I can't say
11 I recognize this one specifically, but...

12 BY MR. VALLAS:

13 Q. Can I actually turn your attention to
14 the last page, page 14.

15 A (Witness complied with counsel's
16 request.)

17 So I've seen it before.

18 Q. Does your signature on that
19 page indicate that you have reviewed it?

20 A. I would say so.

21 Q. And that your responses are true?

22 A. Yes.

23 Q. If I could turn your attention back to
24 page four.

25 A (Witness complied with counsel's

1

2 request.)

3 Q. (Reading from Document)

4 The response to Interrogatories

5 Number 3, the second sentence, for the

6 record, reads: The next day, which would

7 have been October 26th, the day after the

8 incident, the next day Ms. Hill notified

9 Jared York of the incident who informed

10 Douglas Beitch, his manager at GE, and

11 Jeannine Parkes, a Human Resources manager,

12 about the incident.

13 Does that refresh your recollection,

14 Mr. York, about the chronology of

15 conversations you had about the incident?

16 A. Sure does, yes.

17 Q. Do you remember the conversation you

18 had with Mr. Beitch? I apologize if I'm

19 pronouncing his name wrong.

20 A. Beitch, but I do.

21 Q. What was the substance of that

22 conversation?

23 A. Just a general summary of the

24 incident.

25 Q. What form did it take?

1

2 A. Out standing in his office.

3 Q. Was it a face-to-face conversation?

4 A. Correct.

5 Q. Was there any reason that you informed
6 Mr. Beitch about the incident?

7 A. I just felt uncomfortable; again, with
8 the tenor of Soheila's words to Sarah.

9 Q. And what about Soheila's words to
10 Sarah made you feel uncomfortable?

11 A. Again, the words prejudiced, racist,
12 and discrimination, things like that.
13 Again, I don't remember the specific words,
14 but those things are taken very seriously at
15 GE.

16 Q. Were you concerned about Soheila's
17 accusations towards Sarah or were you
18 concerned that Soheila, herself, was
19 suffering from discrimination?

20 A. I was concerned about making sure I
21 was managing the situation properly and in
22 accordance with GE policy.

23 Q. And what is GE's policy with respect
24 to discrimination as you understand it?

25 MR. EBERT: Objection. You

1

2 can answer; if you know.

3 A. I'm not sure I understand the
4 question.

5 MR. VALLAS: I'd actually
6 like to withdraw that question
7 for now and return to this in a
8 moment.

9 BY MR. VALLAS:

10 Q. Did Mr. Beitch instruct you to take
11 any action with respect to the incident?

12 A. I don't recall.

13 Q. Did you have any further conversations
14 with Mr. Beitch about the incident?

15 A. I recall him calling me when some form
16 of legal document was sent to us by,
17 presumably, Soheila's attorneys. I don't
18 recall any other conversations with Doug
19 about this.

20 Q. The conversation that's referenced --

21 MR. VALLAS: Strike that.

22 BY MR. VALLAS:

23 Q. The communication that's referenced
24 between you and Ms. Parkes that occurred on
25 October 26th, do you remember what form

1

2 that communication took?

3 Was it an e-mail?

4 Was it a face-to-face?

5 Was it a telephone conversation?

6 A. Again, can you repeat the date or
7 the ...

8 Q. (Reading from Document)

9 The second sentence of the Response to
10 Interrogatories Number 3 reads: The next
11 day, Ms. Hill notified Jared York of the
12 incident, who informed Douglas Beitch, his
13 manager at GE, and Jeannine Parkes, a Human
14 Resources manager at GE, about the incident.

15 Do you remember the form your
16 communication with Mrs. Parkes took?

17 A. I don't. I mean, it was either an
18 e-mail or a face-to-face conversation.

19 Q. And on that day, were you instructed
20 by Ms. Parkes to take any action in response
21 to the incident?

22 A. I honestly don't recall. I don't
23 recall.

24 Q. I'd like to direct your attention to
25 Interrogatory Number 4 of the Response.

1

2 A (Witness complied with counsel's
3 request.)

4 Q. (Reading from Document)

5 Specifically the first sentence, which
6 reads, in relevant part: GID Global and
7 Mr. Garcia respond that Mr. Garcia, having
8 been made aware of the October 25, 2012
9 incident between Plaintiff and Ms. Hill
10 arranged for Jacob Tefft and Thomas Zalewski
11 to meet with Plaintiff to discuss the
12 incident.

13 Are you aware --

14 MR. VALLAS: Strike that.

15 BY MR. VALLAS:

16 Q. Do you know Mr. Zalewski?

17 A. I do.

18 Q. And who is he?

19 A. He's a GRUPO employee.

20 Q. Do you know what his role is in GRUPO?

21 A. I don't.

22 Q. Had you had a professional
23 relationship with Mr. Zalewski prior to the
24 October 25th incident?

25 A. Yes. At one point he was one of the

1

2 GRUPO employees who worked at this site.

3 Q. Were you aware, at the time, that the
4 meeting arranged by Mr. Garcia was taking
5 place?

6 A. No.

7 Q. Did you, at a later date, become aware
8 that a meeting between Ms. Hexemer,
9 Mr. Tefft, and Mr. Zalewski took place?

10 A. Certainly by the time I signed this
11 document I did.

12 Q. Do you remember when you became aware?

13 A. I don't.

14 Q. Just have a few more questions for
15 you, Mr. York, about slightly different
16 subject matter.

17 Are you familiar with GE's policies
18 regarding discrimination and retaliation?

19 A. Oh, yes. I am.

20 Q. Were you trained on those policies?

21 A. Yearly we are trained on them.

22 Q. What form does training take? Is it
23 in person? Is it video training?

24 A. Computer-based modules.

25 Q. Approximately how long does that

1

2 training last?

3 A. I don't know.

4 Q. Does GE maintain policies for
5 investigating complaints of discrimination?

6 A. I don't know.

7 Q. Does GE maintain policies for
8 investigating complaints of retaliation?

9 MR. EBERT: If you know,
10 great; if you don't, that's
11 great too.

12 A. I don't know.

13 BY MR. VALLAS:

14 Q. Are contractors of GE subject to GE
15 policies?

16 A. I don't know.

17 Q. Are non GE employees who work on GE
18 facilities subject to GE's employment
19 policy?

20 A. I don't know.

21 Q. Turning to a different subject matter.
22 Are GRUPO contractors hired on a
23 project basis?

24 MR. EBERT: Objection. In
25 this instance or in general or

1

2

for this project?

3

MR. VALLAS: I'll clarify.

4

BY MR. VALLAS:

5

Q. As a general matter, does GE employ

6

GRUPO contractors on a project basis or on a

7

more general basis?

8

MR. EBERT: Objection. I'm

9

sorry I got to do this, but you

10

are saying employ, does GE

11

"employ" those contractors, so

12

I'll object to that.

13

MR. VALLAS: Noted.

14

BY MR. VALLAS:

15

Q. Does GE maintain those contractors on

16

a project basis or do they retain them for a

17

term?

18

A. Again, no.

19

In my instance, my specific MSA

20

designates the scope of work, so how many or

21

who does it, how GRUPO decides to manage

22

that work is their prerogative.

23

Q. Do you outline a budget that GRUPO can

24

use to hire to staff a project?

25

A. No. GRUPO -- I pay GRUPO a yearly fee

1

2 based on that scope of work and it is not
3 based on people, it is based on work.

4 Q. The scope of work, is it --

5 MR. VALLAS: Strike that.

6 BY MR. VALLAS:

7 Q. Does the scope of work in the MSA have
8 fixed end dates?

9 A. No. It's our prerogative, General
10 Electric's prerogative, to either renew that
11 or not.

12 Q. During the term of the MSA, which I
13 believe you testified earlier was annually
14 renewed?

15 A. It's annually reviewed and either
16 renewed or not, correct.

17 Q. During the term of the MSA, can GE
18 alter the fee paid to GRUPO? Can GE alter
19 the scope of work?

20 MR. VALLAS: I'll withdraw.

21 BY MR. VALLAS:

22 Q. Can GE alter the scope of work
23 provided to GRUPO within the term of the
24 MSA?

25 A. I don't know. I never have.

1

2 Q. Can GE alter or --

3 MR. VALLAS: Strike that.

4 BY MR. VALLAS:

5 Q. Can GE reduce the fee paid to GRUPO
6 during the term of the MSA?

7 A. No.

8 Q. When is the MSA reviewed and then
9 either renewed or not?

10 A. Right now it's falling in July, so
11 typically it's, you know, the weeks prior to
12 whatever is required on the document.

13 Q. Do you recall when the MSA was renewed
14 in 2012, what month?

15 A. Again, I -- no.

16 Q. Would make sense if it were July?

17 A. Correct.

18 MR. EBERT: Correct.

19 MR. VALLAS: Thank you.

20 BY MR. VALLAS:

21 Q. I'd like to actually direct your
22 attention back to Plaintiff's Exhibit H, and
23 specifically to the response to
24 Interrogatories Number 6.

25 A. (Witness complied with counsel's

1

2 request.)

3 Q. Take as much time as you need.

4 A. Okay.

5 Q. The third sentence --

6 MR. VALLAS: Strike that.

7 BY MR. VALLAS:

8 Q. (Reading from Document)

9 The second sentence of the response to
10 Interrogatory Number 6, on the bottom of
11 page five, reads: The GE project for which
12 Plaintiff had been hired ended several
13 months earlier. GID Global retained
14 Plaintiff as employee for several months to
15 see if another long-term project on which
16 Plaintiff could work emerged.

17 I believe you testified a moment ago
18 that GRUPO was paid an annual fee for its
19 scope of work rather than on a project
20 basis.

21 Does GE revise or --

22 MR. VALLAS: Strike that --

23 BY MR. VALLAS:

24 Q. Does GE revise that scope of work
25 based on the expiration of projects such as

1

2 that described in the response to

3 Interrogatory Number 6?

4 A. Again, it may be possible. I never

5 have.

6 MR. EBERT: How much more do

7 you have?

8 MR. VALLAS: Less than five

9 minutes.

10 MR. EBERT: Okay.

11 THE WITNESS: I can soldier

12 on.

13 BY MR. VALLAS:

14 Q. Have you, outside of the context of

15 the renewal and review of the MSA, ever

16 informed GRUPO that they would need to scale

17 back staff as a result of the expiration of

18 a project?

19 A. No.

20 MR. VALLAS: I have no

21 further questions unless I

22 reserve the right to follow-up

23 any questions --

24 MR. EBERT: I'm good.

25 MR. VALLAS: Thank for your

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time, Mr. York.

* * * * *

(Whereupon, the examination of
JARED YORK in the above-entitled
matter concluded at 1:38 p.m.)

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This is the Deposition of
JARED YORK
taken in the matter, on the date, and at the
time and place set out on the title page hereof.

It was requested that the deposition be taken by
the reporter and that same be reduced to
typewritten form.

It was agreed by and between counsel and the
parties that the Deponent will read and sign the
transcript of said deposition.

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DEPONENT'S CERTIFICATE

STATE OF _____:

COUNTY/CITY OF _____:

Before me, this day, personally appeared
JARED YORK, who, being duly sworn, states that the
foregoing transcript of his/her Deposition, taken
in the matter, on the date, and at the time and
place set out on the title page hereof,
constitutes a true and accurate transcript of said
deposition.

JARED YORK

Signed and subscribed to before me
this ____ day of _____, 20____.

NOTARY PUBLIC, STATE OF NEW YORK

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JARED YORK

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REPORTER'S CERTIFICATION

I, ROBERTA-ANNE SCHMITT, a Court
Reporter and Notary Public certified in and for
the State of New York, do hereby certify that I
recorded stenographically the proceedings herein
at the time and place noted in the heading hereof,
and that the foregoing transcript is true and
accurate to the best of my knowledge, skill and
ability.

IN WITNESS WHEREOF, I have hereunto set
my hand.

ROBERTA-ANNE SCHMITT

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